

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

February 12, 2009

Chairman T. Michalski called the meeting to order at 4:02 p.m. and roll was taken.

MEMBERS PRESENT: B. Turnquist, L. Spataro, T. Michalski, B. Mazade, T. Harryman,
B. Larson

MEMBERS ABSENT: B. Smith, excused; S. Warmington, excused; J. Aslakson, excused

STAFF PRESENT: L. Anguilm, D. Leafers

OTHERS PRESENT: D. McLaughlin, 3099 Pinewood Ln; S. Kelly; C. Jensen, 1873
LeTart

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of January 15, 2009 be approved, was made by B. Turnquist, supported by B. Mazade and unanimously approved.

PUBLIC HEARINGS

Hearing: Case 2009-02: Request for a Special Land Use Permit, per Section 1301 (#1) of Article XIII (B-4, General Business Districts) of the Zoning Ordinance to allow a used car lot in a B-4 district at 2272 Henry Street, by David McLaughlin, McLaughlin Motorz, LLC. L. Anguilm presented the staff report. The subject property is the present location of American Auto Works. The primary use of the property is for minor auto repair, but a special land use permit was issued in 1995 for used car sales also. At some point the property changed hands and the new owner continued both uses on the site. This request is for an additional special land use permit for a different auto dealer, who is the applicant in this request. Properties in all directions are zoned B-4, General Business. In 2001, Serge Kelly, the property owner, applied to the Planning Department for site plan review for a 68 x 60 ft. expansion of the parking area in the rear of the property. This request was reviewed and approved at the staff level. No additional paving or other physical changes to the outside of the building are being requested. Some new striping of the parking area in the front of the building will be made. All other elements of the site plan have been complied with. The following conditions are required for a special land use permit for used vehicle sales in a B-4 zoning district, both of which are met on this site: a) ingress and egress to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets, and b) no major repair or major refinishing shall be done on the lot, such use of land being only permitted in the I-1 or I-2 Industrial Districts. The DPW, Fire and Engineering Departments have no issues with this request. Staff has received no comments regarding this request, and recommends approval with the conditions listed.

B. Turnquist asked if there were any regulations on how many cars could be put on the lot. L. Anguilm stated that the lot striping would restrict the number of cars. They did have adequate parking on the site. D. McLaughlin stated that he preferred not to add striping to the lot. They

hadn't done that in the past. L. Anguilm stated that the Planning Commission could make that decision. B. Turnquist asked whose vehicles were in back of the building. D. McLaughlin stated that they belonged to the property owner.

A motion to close the public hearing was made by B. Larson, supported by T. Harryman and unanimously approved.

A motion that the special land use permit, per section 1301 (#1) of Article XIII of the Zoning Ordinance, to allow a used car lot in a B-4, General Business zoning district at 2272 Henry Street, by David McLaughlin, McLaughlin Motorz, LLC, be approved, based on compliance with the City's Master Land Use Plan and conditions set forth in Section 2332 of the City of Muskegon Zoning Ordinance, with the conditions that 1) any new signage must comply with the zoning ordinance and permits are required, 2) the owner shall permit the zoning administrator or other zoning staff in the premises at reasonable times to review compliance with this permit, 3) the special land use permit shall become null and void within one year of the public hearing if the use has not been established or there is a violation of conditions 1 & 2, and 4) the Special Land Use permit document shall be recorded with the register of deeds prior to occupying the building, was made by B. Larson and supported by T. Harryman, with discussion continuing on the motion.

It was clarified that striping of the lot would not be required. B. Turnquist asked about the hours of operation, and exterior lighting. S. Kelly stated that the outdoor lights were put up in 2001 or 2002 and were approved by the City at that time. They did not plan to add any more lights. D. McLaughlin stated that they did not intend to have evening hours.

A vote was taken on the above motion, which was unanimously approved.

NEW BUSINESS

Case 2009-03: Request for Site Plan Review for the property located at 1221 W. Laketon Avenue, by Susan Johnson, Every Woman's Place, Inc. The applicant has requested that this application be tabled until the April Planning Commission meeting. Their site plan is still in process.

A motion to table the meeting until the April 2009 Planning Commission meeting as requested by the applicant, was made by L. Spataro, supported by B. Turnquist and unanimously approved.

OTHER

Chris Jensen/Great Lakes Naval Museum – C. Jensen provided information on proposed events to be held at the museum. She stated that the health department had given approval for their prep kitchen, and they planned to finish the required landscaping when the weather improved. C. Jensen, staff, and board members discussed the proposed events, parking, hours of operation, financing, and alcohol service at the museum. Board members concurred that any events held there should be directly connected to the Silversides submarine and the museum, and its mission. Staff would make the final decision on event approval when the special event application was processed through City departments.

There being no further business, the meeting was adjourned at 4:42 p.m.
dml